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PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER WIDHALM, ANGELA M	
			ART UNIT	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/652,360

Applicant(s)

WONG ET AL.

Examiner

Angela Widhalm

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 30-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This is a final office action in response to remarks filed on 17 August 2007.

Claims 30-50 were amended. No claims were canceled or added. Claims 30-50 are pending.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 30-50 have been considered but are not persuasive.

3. Applicant argued Shambroom-Wood does not disclose the amendment in which each authentication mechanism specifies a type of information necessary to verify the identity of a client computer system, however examiner respectfully disagrees. The amendment has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

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USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

### ***Summary of Claimed Invention***

5. The claimed invention describes a server first receiving authentication instructions from a controlling client computer system, then receiving a request from a client to access a service provided by the server and lastly authenticating the client for the first time. The invention uses conventional authentication methods, e.g. basic HTTP authentication. In the same field of endeavor, the applied references teach the same.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 30-33, 35, 38-41, 43, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shambroom (U.S. Patent 5,923,756) in view of Wood et al. (U.S. Patent 6,691,232), hereafter referred to as Wood.

8. Regarding claim 30, Shambroom disclosed a method in a server computer of authenticating client computer systems, the method comprising:

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storing, for each of the client computer systems, an indication of an authentication mechanism that can be used to authenticate the client computer system (see col. 3 line 60 – col. 4 line 4: *two authentication schemes are used when authenticating a client with a destination server by way of an intermediary network server. An indication of which authentication scheme to use during authentication must be stored*), the indications being stored based on receiving from a controlling client computer system a plurality of instructions, each instruction identifying a client computer system and identifying at least one authentication mechanism that can be used to authenticate the client computer system, each client computer system being a separate computer system from the controlling client computer system (*The Key Distribution Center 400 sends authentication information to the network server 300 for authenticating client 200*, see fig. 3 #354, col. 8 lines 27-44)

after receiving an instruction for a client computer system and before authenticating that client computer system, receiving a request from that client computer system to access a service of the server computer system, the request including a purported identity of that client computer system (*Client sends a request to the destination server 500 prior to authorization*, see fig. 3 #358, col. 9 lines 1-9. *The request inherently includes the identity of the requesting client computer system*); and

upon receiving the request from that client computer system to access a service of the server computer, initially authenticating that client computer system using the authentication mechanism based on the information necessary to verify the purported

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identity of that client computer system (*The client is authenticated before being connected to the destination server*, see fig. 3 #360, #362, #364, col. 9 lines 15-45).

Shambroom did not explicitly disclose selecting from among multiple authentication mechanisms, i.e. at least some client computer systems having multiple authentication mechanisms that can be used to authenticate the client computer systems and when that client computer system can be authenticated using multiple authentication mechanisms, selecting an authentication mechanism and wherein the authentication mechanism being selected from multiple authentication mechanisms based on authentication abilities indicating authentication methodologies that the client computer system supports and access rights of the client computer system to access resources.

However in a related art, Wood disclosed presenting a user with multiple suitable authentication schemes and allowing the user to select one (see col. 11 lines 36-41). A variety of credential types, e.g. username/password pairs, are used for different levels of authentication (see col. 11 lines 30-65). An authentication scheme is deemed suitable when it meets or exceeds the required trust level in the current environment (see col 11 lines 14-23, 31-33).

It would have been obvious to one of ordinary skill in this art at the time of invention to incorporate Wood's choice of authentication mechanisms into Shambroom's authentication system to provide more details on how a user should be

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authenticated and thereby further improve system security (see Shambroom col. 3 lines 33-35, col. 4 lines 46-61).

9. Regarding claim 31, Shambroom-Wood disclosed at least one of the plurality of instructions indicates that multiple authentication mechanisms can be used to authenticate a client computer system and wherein that client computer system is authenticated using one of the indicated authentication mechanisms (see Wood col. 11 lines 30-67).

10. Regarding claim 32, Shambroom-Wood disclosed the plurality of instructions indicate that the same authentication mechanism is to be used to authenticate multiple client computer systems and wherein the multiple client computer systems are authenticated using the indicated authentication mechanism (see Wood col. 7 lines 35-40, col. 8 lines 3-18: *plurality of client systems authenticate with the gatekeeper/entry handler component 110, which uses client type to determine which authentication mechanism should be used. When there are multiple clients of the same type to be authenticated, the clients will be authenticated by the same authentication mechanism*).

11. Regarding claim 33, Shambroom-Wood disclosed the plurality of instructions indicate that multiple authentication mechanisms can be used to authenticate multiple client computer systems and wherein the multiple client computer systems are authenticated using one of the indicated authentication mechanisms (see Wood col. 7

lines 35-40; col. 11 lines 30-67; *the user/client is allowed to choose credential types to be used to authenticate to the server, all the users can use a particular method of authentication, i.e. certificate authority*).

12. Regarding claim 35, Shambroom-Wood disclosed a basic HTTP authentication (see Wood col. 12 lines 25-30).

13. Regarding claims 38-41 and 43, the claims are rejected for the same reasons as the rejections to claims 30-33 and 35 above respectively.

14. Regarding claims 46-49, the claims are rejected for the same reasons as the rejections to claims 30-33 above respectively.

15. Claims 34, 36-37, 42, 44-45, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shambroom-Wood as applied to claims 30, 38, and 49 above, further in view of AAPA (Applicant Admitted Prior Art).

16. Regarding claim 34 and 42, Shambroom-Wood disclosed the invention, substantially as claimed, as described in claims 30 and 38, but did not explicitly disclose an assertion authentication.

However, AAPA disclosed assertion methodology is a way of authenticating between client and server (see for example AAPA specification pg 3 lines 1-3). It would



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have been obvious to one of ordinary skill in this art at the time of invention to combine the teachings of Wood-Lim and AAPA because the teaching of AAPA to allow assertion would improve the trust in between the two systems, as both sides agree to trust each other initially. Furthermore, Shambroom-Wood's system supports plurality of authentication mechanisms and therefore it would have been obvious to incorporate assertion methods with the teachings of Shambroom-Wood to improve the functionality of Shambroom-Wood by allowing for more choices for authentication.

17. Regarding claims 36 and 44, Shambroom-Wood disclosed the invention, substantially as claimed, as described in claims 30 and 38, but did not explicitly disclose digest authentication. However, AAPA disclosed a digest method (see for example pg 3 lines 10-22). It would have been obvious to one of ordinary skill in this art at the time of invention to combine the teachings of Shambroom-Wood and AAPA, the rationale to combine is discussed in claims 34 and 42 above.

18. Regarding claims 37 and 45, Shambroom-Wood disclosed the invention, substantially as claimed, as described in claims 30 and 38, but did not explicitly disclose an NTLM authentication. However, AAPA disclosed NTLM authentication method (see for example pg 3 lines 23-24). It would have been obvious to one of ordinary skill in this art at the time of invention to combine the teachings of Shambroom-Wood and AAPA, the rationale to combine is discussed in claims 34 and 42 above.

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19. Regarding claim 50, the claim is rejected for the same reasons as the rejection to the combination of claims 34-37 and 42-45 above.

### ***Conclusion***

20. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Widhalm whose telephone number is (571) 272-1035. The examiner can normally be reached M-F, 9:00 am - 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Angela Widhalm  
Examiner  
Art Unit 2152  
26 October 2007

A handwritten signature in black ink, appearing to read "Andrew Caldwell", with a stylized flourish at the end.

ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER